

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA

Plaintiff,

v.

ORDER

STEPHEN GEORGE MILJUS, EILEEN
JANE MILJUS, JOHN BRUNKO MILJUS,
THE ORGANIC ASSEMBLY OF THE
REMNANT IN YAHSHUA, STEVEN
GEORGE FAIR,

Civil No. 06-1832-PK

Defendants.

HAGGERTY, Chief Judge:

Magistrate Judge Papak referred to this court a Findings and Recommendation [120] in this action. The Findings and Recommendation recommends that the Motion to Strike and Alternative Motion to Dismiss [104] be denied. The Findings and Recommendation also recommends defendant Fair's "Motion to the Court to Construe Fair's Recent Motions in

Counterclaim, and Motions in Cross-Claim as Motions for Declaratory Judgment Under the Declaratory Judgments Act" [117] be denied.

The matter is now before this court pursuant to 28 U.S.C. § 636(b)(1)(B). *See also* Fed. R. Civ. P. 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate. *Campbell v. U.S. Dist. Court*, 501 F.2d 196, 206 (9th Cir. 1974).

This court has examined the pending motion and the underlying record. No clear error appears on the face of the record. The Findings and Recommendation is, therefore, adopted. Accordingly, both the Motion to Strike [104] and "Motion to the Court To Construe Fair's Recent Motions in Counterclaim . . ." [117] are DENIED, as described in the Findings and Recommendation. Furthermore, the documents filed at Docket Nos. 24-26, 94, 99, and 101 are stricken from the record, as described in the Findings and Recommendation.

IT IS SO ORDERED.

DATED this 11 day of August, 2008.

/s/ Ancer L. Haggerty
Ancer L. Haggerty
United States District Judge